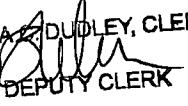


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

MAR 17 2016

JULIA Z DUDLEY, CLERK  
BY:   
DEPUTY CLERK

ALLSTATE INSURANCE COMPANY, as )  
Subrogee of Hillel at Virginia Tech, Inc., )  
)  
Plaintiff, )  
)  
v. )  
)  
STRUCTURES DESIGN/BUILD, LLC, )  
)  
Defendant/Cross-Claimant, )  
)  
v. )  
)  
PJ LITTLE PLUMBING, INC., )  
Defendant/Cross-Claim Defendant/ )  
Third-Party Plaintiff, )  
)  
v. )  
)  
CMC SUPPLY, INC., )  
Third-Party Defendant/Fourth-Party )  
Plaintiff, )  
)  
v. )  
)  
HARRY S. EKLOF, JR. & ASSOCIATES, INC., )  
Fourth-Party Defendant. )

Civil Action No. 7:15-CV-00354

ORDER

By: Hon. Glen E. Conrad  
Chief United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

**ORDERED**

as follows:

1. Defendant PJ Little's motion to dismiss (Docket No. 11) is **GRANTED IN PART** and **DENIED IN PART**;

2. Third-party defendant CMC Supply's motion to dismiss (Docket No. 34) is **GRANTED**. The third-party complaint against CMC Supply (Docket No. 21) is **DISMISSED WITHOUT PREJUDICE**; and
3. The Clerk is directed to **STRIKE** CMC Supply as a defendant in this case.

The Clerk is directed to send copies of the order and the accompanying memorandum opinion to all counsel of record.

ENTER: This 17<sup>th</sup> day of March, 2016.



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Chief United States District Judge